

## NOTE OF MEXICAN NOTE IS DECIDEDLY OFFENSIVE TO U. S.

Certain Portions of Document May Draw Sharp Rebuke.

PRESIDENT WILL DECIDE  
WHAT COURSE TO PURSUE

Forces Will Remain Until Carranza Proves He Is in Control of Situation.

FUNSTON ASKED ABOUT TROOPS

Attention to Military Problem Results From Threat of Attack on Pershing's Column.

WASHINGTON, June 1.—General Carranza's note demanding withdrawal of American troops from Mexico has brought no change in the determination of President Wilson to maintain the present troop disposition until the ability of the de facto government to police its side of the border has been shown. It was stated today that General Pershing's force would remain where it is until that time arrived.

A reply will be made to General Carranza, but the form it will take has not been determined to-night. President Wilson read the hasty translation of the long communication last night. A corrected text is being prepared by the State Department for his information.

While official comment is withheld, it is understood that the tone of the document is regarded as decidedly offensive, and certain portions of it, such as the thinly veiled accusation that the President is playing domestic politics in retaining the troops in Mexico, may draw a sharp rebuke. It is doubtful, according to officials on the international correspondence of the United States, if the United States ever has received a communication couched in as offensive terms and containing as many apparent violations of the ordinary uses of diplomatic courtesy as this 12,000-word arraignment of its good faith and honesty and good purposes.

President Wilson himself will decide what course shall be pursued. So far as could be learned to-night, no conferences or inquiries have yet been initiated to determine the nature of the reply. Apparently none are necessary, so far as the withdrawal of the troops is concerned. There is no indication that that possibility is even being considered.

NO ANSWER WILL BE FRAMED FOR WEEK OR TEN DAYS

The President left Washington to-night for Annapolis to attend graduation exercises to-morrow at the Naval Academy. Consequently, there will be no Cabinet meeting to-morrow. This will delay any early reply to Carranza, and it is generally believed that no answer will be framed for a week or ten days.

The Mexican note was sent by messenger, requiring a week in transit, and was further delayed after its arrival here. Officials feel there can be no question of urgency in a communication so handled and will not treat it as a pressing matter.

As a matter of fact, the new note caused hardly a ripple in administration circles. No new orders went to General Funston, beyond a request for detailed information as to disposition of Carranza troops. In view of the note's open threat of an attack on Pershing's column, it was thought wise to give attention to the military problem.

The Mexican embassy distributed copies of the new note to all embassies and legations in Washington to-day, explaining that it did so in an effort to enlist the sympathy of other governments for the cause it sets forth. Presumably this was done under direction of General Carranza himself.

Neither State Department officials nor members of the diplomatic corps would comment on this phase of the matter.

EUROPEAN INFLUENCE  
MIGHT BE BEHIND MOVE

Some diplomatic officials expressed the opinion, however, that European influence might be behind the move, while others thought it merely an attempt to gain publicity, and noted that the matter was urged just on the eve of the political conventions in the United States.

Officials are prepared to refute many of the statements of the Carranza note, should the President decide to enter into a discussion of facts. Among these are repeated declarations that General Scott, chief of staff, specifically agreed with General Obregon that no new expeditions should cross the border, and admitted that the object of General Pershing's drive into Mexico had been accomplished. It is known that General Scott had no such understanding in the El Paso conference ended.

PERSHING SAYS CONFERENCE "ENDS SATISFACTORILY"

COLONIA DUBLIN, IRE., (by wireless to Columbus, N. M.), June 1.—The conference between General Gaviira, commanding Northern Chihuahua and General Pershing, in charge of the American punitive expedition, ended to-night "very satisfactorily" in the words of General Pershing to the press correspondents.

Beyond this brief announcement, General Pershing maintained silence, and nothing was revealed by either side as to the nature of the subjects discussed, and the agreements made in relation to the co-operation of the two armies against the bandit bands in this territory.

General Gaviira was entertained at headquarters as the guest of General Pershing.

## Wins in Senate



LOUIS D. BRANDEIS.

## IN JOINT CONFERENCE OVER RAILROAD DISPUTE

Managers Meet Representatives of Conductors, Trainmen, Engineers and Firemen.

CONFIDENT OF SETTLEMENT

"No Outside Arbitration" Is Slogan of Employers—To Admit Newspaper Men, Because Controversy Is of Such Magnitude.

NEW YORK, June 1.—The joint conference between representatives of the railroads of the United States and their conductors, trainmen, engineers and firemen for a settlement of the difficulties over the employees' working hours and wages was begun here to-day in executive session. Both sides expressed confidence in an amicable adjustment.

"No outside arbitration" is the slogan of the employees, in answer to a suggestion that the questions at issue be given over to the decision of Federal arbitrators in case the conference fails to agree. The principal question is whether the employees are entitled to an eight-hour basic working day—ten hours' pay at the present rate for eight hours of service. Overtime pay is also involved. Against these demands, the railroads have presented propositions relative to the way compensation shall be paid to different classes of service.

REPRESENTATIVES OF EMPLOYEES AT TABLE WITH MANAGERS  
A. B. Garretson, president of the Order of Railway Conductors; A. G. Lee, Brotherhood of Railroad Trainmen; W. S. Stone, grand chief of the Brotherhood of Locomotive Engineers, and Timothy Shea, assistant president of the Brotherhood of Locomotive Firemen and Engineers, had seats at a table with the railroad managers.

The conference adjourned early this afternoon, after having arranged the program and other formalities. It was voted to meet daily in the forenoon, and to admit newspaper reporters.

In announcing that the sessions would be opened to the press, Mr. Lee made a statement in which he said: "Both sides to the controversy recognize that it is of such unprecedented magnitude and so directly affects the interests of the whole country, that the public ought to have all the facts. If the railroads must add to the wages of a portion of their employees many millions of dollars, it is plain that this means an additional cost to the transportation industry as a whole country, in which the people are vitally interested."

"An open conference, in which there will be a full and frank discussion of the demands made by the employees certainly ought to enable the public to decide what is just and fair."

WILSON GOES TO ANNAPOLIS

Will Deliver Diplomas This Morning to Graduates of Naval Academy.

WASHINGTON, June 1.—President Wilson left here to-night on the naval yacht Mayflower for Annapolis, Md., where he will deliver diplomas to-morrow morning to the graduates of the Naval Academy. He was accompanied by Mrs. Wilson and several relatives, and will return by automobile to-morrow afternoon. Secretary Daniels will deliver the commencement address at the exercises at Annapolis to-morrow, and the President does not plan to speak.

TO LIMIT USE OF PETROL

New Regulations Will Be Issued Next Week by British Government.

LONDON, June 1.—According to today's newspapers, new regulations limiting the use of petrol will be issued next week to take effect immediately on publication.

The principal feature of the new regulations is expected to be prohibition of the use of automobiles on Sunday, except under a special license, which will only be granted in urgent cases. The authorities are also considering the use of a petrol ticket system similar to the German bread cards.

## SENATE CONFIRMS BRANDEIS, 47 TO 22

Ends One of Bitterest Contests Ever Waged Against Presidential Nominee.

VOTE TAKEN WITHOUT DEBATE

Majority and Minority Reports of Judiciary Committee Made Public.

WASHINGTON, June 1.—The nomination of Louis B. Brandeis, of Boston, to the Supreme Court to succeed the late Joseph Tucker Lamar, was confirmed by the Senate to-day by a vote of 47 to 22. The vote, taken without debate, ended one of the bitterest contests ever waged against a presidential nominee. Mr. Brandeis will be the first Jew to occupy a seat on the Supreme Court bench.

Three Republican Senators La Follette, Norris and Pendergast, voted with the Democratic majority. The Senators Gronna and Clapp would have done so, but were paired with Senators Borah and Kenyon.

The negative vote of Senator Newlands was a complete surprise to the committee, and recognizing his action had aroused comment, he later made a formal explanation.

"I have a high admiration for Mr. Brandeis as a publicist and propagandist of distinction," said Senator Newlands. "I don't regard him as a man of judicial temperament, and for that reason I have voted against his confirmation."

Throughout the fight President Wilson stood firmly behind his nominee, never wavering, even when it seemed certain that an unfavorable report would be returned by the Senate Judiciary Committee. Before the committee voted he wrote a letter to the chairman urging prompt and favorable action.

NAMES OF SENATORS WHO VOTED FOR CONFIRMATION

Senators who voted for confirmation to-day were:

Democrats—A. H. Rust, Bankhead, Beckham, Broussard, Chamberlain, Beckham, Broussard, Chamberlain, Chilton, Cuthbert, Fletcher, Gore, Hardwick, Hitchcock, Hollis, Hughes, Hastings, Jones, Keim, Lane, Lee, of Tennessee; Lee, of Maryland; Lewis, Myers, O'Connor, Overman, Owen, Phelan, Pittman, Randall, Reed, Caudill, Shaffroth, Sheppard, Shields, Simmons, Smith, of Arizona; Smith, of Georgia; Smith, of Maryland; Smith, of South Carolina; Stone, Taggart, Thomas, Thompson, Underwood, Vardaman and Walsh—total 44.

Republicans—La Follette, Norris and Pendergast—total 22.

Voting against confirmation were: Republicans—Brady, Clark, of Wyoming; Brandegee, Cummins, Curtis, Dickinson, Du Pont, Fall, Gallinger, Harding, Lippitt, Lodge, Nelson, Oliver, Packer, Smith, of Michigan; Sterling, Sutherland, Townsend, Warren and Weeks—total 22.

Democrats—Newlands—1.

The following pairs were announced, those first for and those named second against: Johnson, Maine, with Wadsworth; Swanson, with Jones; Martin, with Smoot; Clapp with Kenyon; Gronna, with Borah; Bryan, with Cameron; Pomeroy, with Weeks; Johnson, South Dakota, with Goff; Martin, with McPherson; Williams, with Penrose; Tillman, with Goff; Robinson, with Burdick—total 24.

Senators who were not paired and who did not vote were: Clarke, Democrat; Sherman and McLean, Republicans—total 3.

NOMINATION WAS SENT TO SENATE IN JANUARY

The nomination of Mr. Brandeis was sent to the Senate on January 23. It was referred to the Judiciary Committee, and immediately a flood of protests against confirmation and memorials in favor thereof began to pour in.

A subcommittee, consisting of Senators Chilton, Fletcher, Walsh, Cummins and Works, adopted the unusual course of holding public hearings. Clifton Thorpe, railroad commissioner of Iowa, was the first witness, protesting against confirmation on the ground that Mr. Brandeis had been guilty of unprofessional conduct in handling the Interstate Commerce Commission.

Shirley W. Newlow, president of the United Shoe Machinery Company, testified that Mr. Brandeis had been guilty of unprofessional conduct in relation to his company, and shortly thereafter Austin G. Fox, a New York attorney, appeared before the committee as the representative of fifty-five citizens of Boston, headed by A. Lawrence Lowell, president of Harvard, and took charge of the opposition. Then United States District Attorney George W. Anderson, of Boston, at the request of the committee, undertook the direction of the case for those favoring confirmation.

In all, forty-seven witnesses were heard and 1,000 pages of testimony taken. William H. Taft, Simon E. Baldwin, Francis Rawle, Joseph P. Choate, Elihu Root, Moorefield Storey and Peter W. Meldrum, all former presidents of the American Bar Association, wrote protests to the committee against confirmation, and Charles W. Eliot, president-emeritus of Harvard, and many others wrote in favor of confirmation.

CONFIRMATION RECOMMENDED BY STRICT PARTY VOTE

On April 3 the subcommittee, by a strict party vote, recommended confirmation, and on May 24 the full committee agreed to a favorable report by another strict party vote.

A compromise agreement was made, by which the vote was taken to-day without debate, but with publication of the vote and the reports of the majority and of the minority of the Judiciary Committee.

The minority report declared that

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## \$1,000 "Slush Fund" Is Put Up by Pavers, Declares McCarthy

Says One-Half Went to W. P. Leaman and Remainder Retained by Godwin.

Captain Carlton McCarthy, member of the Administrative Board and former Mayor of Richmond, in a signed statement to the Times-Dispatch last night told in detail of the alleged distribution of a \$1,000 "slush fund" provided by an asphalt paving concern seeking contracts in this city. In answer to the veiled charge that \$500 of this fund reached himself or his son, an employee of the City Engineering Department, Captain McCarthy not only indignantly denies the charge, but quotes the manager of the paving company as saying to him that \$300 had been paid to W. P. Leaman for political influence and that the other \$500, paid to W. S. Godwin, an agent of the Harbour Asphalt Company, had been retained by Godwin.

Captain McCarthy in his statement quotes President McCulloch, of the Central Construction and Supply Company, of Harrisburg, Pa., as expressing no distress over the money paid to Leaman, but that as to the other payment he was "shocked that \$500 had gone and nobody had been bribed."

Captain McCarthy explained how the story of alleged bribery had been circulated at the City Hall in connection with certain smooth-paying contracts awarded some time ago, and how the paving company's agent, according to officers of the company, had pocketed the "slush" money, and when asked for an accounting had attempted to say that it had gone to a member of the Administrative Board.

TRACED DOWN REPORT IMMEDIATELY, HE SAYS

Captain McCarthy said that he had first heard of the matter perhaps a week ago, and that he had worked on it from that time. Finally, when he was called on to consider bids for certain street paving for which the Central Construction and Supply Company had submitted proposals, he took members of the board that he could not consider any proposal made by this concern.

Commissioner McCarthy's signed statement follows: "I was willing to suffer the disagreeable consequences caused by the publicity in order that I might make public certain transactions which some people in business regard as simple business routine, but which I regard, and have always regarded, as dishonest and detrimental to the interest of the whole community."

This matter was brought to my attention by a member of the board, who got his information from Robert E. Godwin. After hearing the statement coming from Mr. Godwin, which had a personal interview with Mr. McCulloch, manager for the Central Construction and Supply Company, who make and lay asphaltic concrete pavements. Directly from Mr. McCulloch, in his office, I learned that his company furnished one W. S. Godwin, an agent of the Harbour Asphalt Company, two checks for \$500 each, payable to his order.

SAYS WELL-KNOWN MAN GAVE CASH TO LEAMAN

"These checks were endorsed by the said Godwin and cashed at the banks, one check being cashed in Baltimore and the proceeds disposed of in some way unknown to Mr. McCulloch or the treasurer of his company. The second check was cashed in Richmond, and the proceeds of this check, which was for \$500, was handed to Mr. W. P. 'Dutch' Leaman, a well-known citizen of Richmond, who has told me that he went with the bank with Godwin to identify the money, and the citizen became the messenger to carry the money from Godwin to Leaman."

"Mr. Godwin was called upon for a statement of his expenditures of the \$500, and satisfied Mr. McCulloch and others, concerning the \$500 delivered to Mr. Leaman, but has then requested to account for the remaining \$500, being the proceeds of the check cashed in Baltimore. Being thus called upon rather unexpectedly to account for the \$500, he first stated that he delivered it to Captain McCarthy, of the Administrative Board.

"As McCulloch says, this statement astonished the officers who heard it, and they 'dug' him at once. What? Captain McCarthy? by the name of Godwin? and tone of voice expressing grave doubt. Thereupon Mr. Godwin amended his statement by saying that he gave the money to Captain McCarthy's son."

"McCulloch expressed no distress concerning the \$500 handed to Mr. Leaman for his well-known influence, but was shocked, he said, when he found that the other \$500 had gone and nobody had been bribed. McCulloch's distress, as he plainly expressed it to me, was occasioned by the firm belief of both himself and the treasurer of the company that, instead of performing the desired bribery, their trusted agent had pocketed the funds. The activity of the company was directed to prove the matter on Godwin and recover the money, and it was their anxiety to accomplish this result that brought about the exposure of their peculiar methods of business."

DISHONORABLE PROCEEDING, DECLARES MCCARTHY

"I am satisfied, after this conversation with Mr. McCulloch, having my conclusions on what he himself voluntarily said, that if Mr. Godwin had satisfied his principals that he had bribed somebody, everything would have been satisfactory and peaceful at the headquarters of the company. 'In conclusion, I told Mr. McCulloch

that, without any intention of being offensive, I regarded the proceedings of his company in this matter as thoroughly dishonorable, and I would use every means in my power to see that the city had no further transactions with his company. I also told him that it would be impossible for him to make the people I represent believe that the money disbursed and located beyond doubt could possibly be a mere purchase of an individual influence."

"In apologizing for the methods used by his company, Mr. McCulloch stated that the Atlantic Bitulithic Company has spent in Richmond to secure business with the city thousands of dollars. Thereupon I said that I had long been suspicious that the bitulithic company was proceeding in this manner, but that I had no proof of it. Mr. McCulloch immediately replied, 'I know it, sir, thousands of dollars.'

"Several months, or perhaps a year ago, I resolved that I would vote for any further business transactions on the part of the city with the Central Construction and Supply Company. 'When first I heard this story it was to the effect that Godwin handled the money. I was about decided that I could treat the whole matter with indifference. A revision of the story by Mr. McCulloch informed me that Godwin had referred to my son, and I at once did, at the cost of any inconvenience or disagreeable consequences, decide to make the whole matter public."

"Finally, it would gratify me exceedingly if all parties to this matter, and need not call names, could be summoned before the grand jury and be compelled, if there is compulsion in the law, to expose at least as much of this matter as Mr. McCulloch quietly conveyed to me."

(Signed) "CARLTON MCCARTHY."

## Temporary Chairman



JUDGE R. T. W. DUKE.

## JUDGE DUKE IS CHOSEN TO MAKE KEYNOTE SPEECH

Named as Temporary Chairman of Democratic State Convention by Unanimous Vote.

ELECTION CAUSES SURPRISE

Gossip Had Given Office to Representative Saunders—Houston Stated for Permanent Chairman—Ellyson Presides for Last Time.

(By a Staff Correspondent.)

ROANOKE, Va., June 1.—Judge R. T. W. Duke, of Charlottesville, was to-night elected by the State Democratic Committee temporary chairman of to-morrow's convention. His name was placed in nomination by Committeeman Aubrey Weaver, of Page, and election followed by a unanimous vote.

The selection of Judge Duke for the duty of sounding the keynote speech was determined upon by party leaders at a late hour this afternoon.

It took most of the delegates by surprise, since the burden of preconvention gossip had given the office to Representative Saunders, of the Fifth District. It is understood that Mr. Saunders joined in the movement to elect Judge Duke. The choice was everywhere approved.

The convention will be called to order at noon to-morrow by Judge Duke, who will sound the keynote speech. The body will then proceed to organize on a permanent footing. It was assumed to-night that Harry R. Houston, of Hampton, Speaker of the House of Delegates, will be elected permanent chairman without opposition.

The State committee met at 8 o'clock in the Chamber of Commerce. Chairman Ellyson, presiding for the last time over the body which has headed for twenty-six consecutive years, made a brief farewell speech in relinquishing the reins of party government. He gave up the chairmanship, he said, carrying with him most pleasant recollections of the companionship he has enjoyed with the members of the committee.

PROMISES HIS LOYALTY AS SOLDIER IN RANKS

"As your leader for more than a quarter of a century," said Mr. Ellyson, "I want to say that there has never been a time that the Democrats of this State, divided as they have been at times, have not cheerfully reposed in me full confidence. On my part I have always endeavored to serve the whole party to the best of my ability. In retiring to the ranks, I can only promise that, as a soldier in Democracy, I shall try to be as loyal to the cause as I tried to be when I was its commander."

Mr. Ellyson's speech was warmly applauded. The committee proceeded swiftly to finish its work by electing J. N. Brennan, of Richmond, temporary secretary, and James McFall, of Roanoke, temporary sergeant-at-arms. All elections were made unanimously.

The circumstance led Chairman Ellyson to express the prediction that the present unanimity was a promising earnest of the single-mindedness that will mark the proceedings of the major convention to-morrow.

Upon the motion of Committeeman I. T. Whitehead, the committee adopted a resolution directing each of the district conventions to-morrow to nominate two members to form together a general committee, whose duty it shall be to present in person to President Wilson the resolutions respecting his administration that the convention proper will adopt.

POLITICAL ATMOSPHERE HEAVY WITH EXPECTANCY

The more or less perfunctory preliminaries to the convention proper were carried out in the midst of a political atmosphere that hung heavy with the sense of something unexpected yet to come. Everywhere there was much talk of peace between the factions. Equally as evident, however, was the quite general impression that little more than a spark of dissatisfaction would be needed to bring into being anew the conflagration that was temporarily smothered by the now famous PEACE OF WASHINGTON.

Never in its remarkable thirty-year history has Roanoke entertained such a gathering of distinguished Democrats. From the Governor of the Commonwealth down to the humblest county standard-bearer, the faithful are in attendance, between 1,000 and 1,500 strong. The night train added their quota of delegates and visitors in generous numbers, and it was estimated by

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## SWANSON TO HAVE NO OPPOSITION IN RACE FOR SENATE

Neither Glass nor Tucker Will Enter Lists as Candidate.

DECISION ANNOUNCED AFTER LONG CONFERENCE

Strong Efforts to Bring Sixth District Congressman Out of Result.

TUCKER ADVISED NOT TO RUN

State Senator Strode Abandons Idea of Fighting Flood for House.

(Special by Staff Correspondent.)

ROANOKE, Va., June 2.—Following a long conference early this morning at the Roanoke Hotel, it was authoritatively announced that neither Representative Carter Glass nor Harry St. George Tucker would enter the lists as a candidate for the United States Senate in opposition to Senator Claude A. Swanson.

To this conclusion antipartisan men in attendance upon the convention. Both Mr. Glass and Mr. Tucker were present. No statement was obtainable from Mr. Tucker.

"It is not my intention to be a candidate for the senatorship," said Mr. Glass at midnight. "I know of nothing now that would induce me to change this decision. My physicians have advised me that my health would not be equal to a campaign at this time, and there are other considerations which weigh against such a course."

Substantially this statement was made by Mr. Glass also at the conference, which was held up by the effort to bring the Sixth District Congressman out as Mr. Swanson's competitor. In this effort Mr. Tucker joined.

TUCKER IS ADVISED NOT TO MAKE RACE

The conference reviewed the situation in details. Practically to a man, those in attendance advised Mr. Tucker not to make the race. No formal poll was taken, and no commitment to any line of action was sought. When the meeting adjourned it was understood that Mr. Tucker, adopting the view of his advisers, had definitely decided not to come out. This will mean the recalling of the tentative notice of candidacy implied by his deposit of the required \$150 fee with Auditor Moore.

It was pointed out at the conference that Mr. Tucker's views on the national prohibition issue and immediately related questions would militate strongly against his success were he to attempt a race now when public opinion in the Commonwealth on these questions is apparently so at variance with his own.

Among those participating in the conference, besides Mr. Glass and Mr. Tucker, were Hugh A. White, Aubrey E. Strode, Lucien Cocke and Walter E. Addison.

His decision received the approval of Governor Stuart, who freely expressed to friends his belief that Mr. Tucker had little to expect from a contest at this time.

HAD POSTED FEE WITH STATE AUDITOR

Apparently with the intention of entering into a campaign against Senator Swanson, Mr. Tucker had, through friends in Richmond, paid to State Auditor Moore the \$150 fee required by the primary law of candidates for the senatorial nomination.

The fact that Mr. Tucker had caused his fee to be paid in became known here late yesterday afternoon, and convention headquarters buzzed with the news the rest of the day.

Confirmation of the report came later from Mr. Tucker himself, who admitted publicly at the Roanoke Hotel that his candidacy fee had already been paid in. Up to that moment the rumor ran from mouth to mouth as a choice bit of political gossip, exciting but unauthoritative.

Late in the afternoon there made its appearance in the packed lobbies a petition calling upon Mr. Tucker to announce his candidacy for the Senate. Friends of the Lexington man solicited signatures, indicating to those approached that the enthusiasm with which Democrats rallied to his support would have much to do with his coming out.

The circulating petition, together with the circumstance that the fee was already in the hands of the Auditor, created in the minds of many delegates a growing conviction that a senatorial contest is imminent. Speculation over this possibility entirely overshadowed the perfunctory preconvention activities of the day.

SWANSON SUPPORTERS EXPRESS ENTIRE CONFIDENCE

Suspense increased as the day wore on without a definite announcement from either Mr. Tucker or his advisers. He held several conferences during the day with representative antipartisan men.

Among organization leaders there was a marked disposition to discount heavily reports of an impending senatorial contest. One and all of this faction pointed to the utter aimlessness of delaying the announcement were Mr. Tucker really determined to run. A common-sense policy, they pointed out, would demand the widest and most immediate dissemination of the news. The failure of Mr. Tucker to make a clean-cut statement of his intentions in advance of being forced to a show-down by the law, organization men pointed out, was indicative of his indecision.

Senator Swanson, who with Senator Martin, arrived early in the afternoon,